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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,720	01/26/2004	Gilad Odinak	INTL-1-1039	2555

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BLACK LOWE & GRAHAM, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

EXAMINER	
ZEWARI, SAYED T	
ART UNIT	PAPER NUMBER
2617	
MAIL DATE	DELIVERY MODE
04/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/765,720	ODINAK, GILAD	
	Examiner	Art Unit	
	SAYED T. ZEWARI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 March 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *5-7* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *5-7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Amendment

1. Applicant's arguments filed on 3/03/2008 have been fully considered but they are not persuasive.

2. The amended claims are not changed in scope and thus the previous reference still remains valid. The applicant argues that the communication with the device in the car is low power communication scheme and is different from cellular network. Further, the applicant argues that the phone 100 and the kit 160 end communication with each other after the communication is finished. The reference Larsson still reads on these amended claims and discloses these limitations. The applicant discloses a system wherein a car phone adopts and uses the service plan of a phone that is close by. In a similar way, Larsson also discloses a system that adopts and uses the plan of a phone close by. So the argument regarding the low power Bluetooth is irrelevant. The same function is disclosed by Larsson. In a similar way, the ending of a communication session does not really constitute an innovation. Starting and ending a communication session is a common knowledge and in no way can be considered a patentable innovation. Larsson discloses the limitations of ending communication.

DETAILED ACTION

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Larsson et al. (US 6,697, 638).

With respect to claim 1, Larsson et al. discloses a computer program product residing on a phone embedded in a vehicle for performing a method for automatically using a service plan of a personal mobile phone over the phone embedded within the vehicle **(See Larsson's col.5 lines 9-29)**, the method comprising: detecting the presence of the personal mobile phone **(See Larsson's abstract, figure 3, 4, col.3 lines 24-67, col.4 lines 1-20)**; receiving a mobile subscriber identification number from the detected phone **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25)**; sending the mobile subscriber identification number to a wireless network authority; transmitting the mobile subscriber identification number from the embedded phone to a wireless network access authority **(See Larsson's abstract,**

col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11); sending an authentication request received from the network authority to the personal mobile phone **(See Larsson's abstract, figure 3-5, col.3 lines 24-67, col.4 lines 1-20)**; receiving a confirmation of the authentication from the personal mobile phone **(See Larsson's col.5 lines 9-29)**; sending the confirmation of the authentication to the wireless network authority **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; ending communication between the personal mobile phone and the embedded phone **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; and after ending the communication, opening a communication session with the wireless network based on the sent confirmation **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20).**

With respect to claim 6, Larsson discloses a computer program product residing in a phone embedded within a vehicle, the computer program product comprising: a first component for detecting the presence of a personal mobile phone **(See Larsson's abstract, figure 3, 4, col.3 lines 24-67, col.4 lines 1-20)**; a second component for receiving a mobile subscriber identification number from the detected phone **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25)**, a third component for sending the mobile subscriber identification number to a wireless network authority **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; a fourth component for sending

an authentication request received from the network authority to the personal mobile phone **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; a fifth component for receiving a confirmation of the authentication request from the personal mobile phone **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; a sixth component for sending the confirmation of the authentication request to the wireless network authority **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; a seventh component for ending communication between the personal mobile phone and the embedded phone **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; and an eighth component for opening, after ending the communication, a communication session with the wireless network based on the sent confirmation **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20).**

With respect to claim 7, Larsson discloses a vehicle comprising: an embedded phone operable to: detect the presence of the personal mobile phone **(See Larsson's abstract, figure 3, 4, col.3 lines 24-67, col.4 lines 1-20)**; receive a mobile subscriber identification number from the detected phone **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25)**, send the mobile subscriber identification number to a wireless network authority **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11);** send

an authentication request to the personal mobile phone **(See Larsson's abstract, figure 3-5, col.3 lines 24-67, col.4 lines 1-20)**; receive a confirmation of the authentication **(See Larsson's col.5 lines 9-29)**; send the confirmation of the authentication to the wireless network authority **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; end communication between the personal mobile phone and the embedded phone **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11)**; and after ending the communication, open a communication session with the wireless network based on the sent confirmation **(See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20).**

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAYED T. ZEWARI whose telephone number is (571)272-6851. The examiner can normally be reached on 8:30-4:30.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sayed T Zewari/

Examiner, Art Unit 2617

March 30, 2008

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617